

REMARKS/ARGUMENTS

This Amendment is in response to the Office Action mailed September 16, 2005. Claims 20-32 were pending in the present application. The present response amends claims 20, 22, 25, and 29, and does not add or cancel any claims, leaving pending in the application claims 20-32. Reconsideration of the rejected claims is respectfully requested.

I. Rejection under 35 U.S.C. §112

Claims 20 and 22 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. In particular, these claims are rejected for lacking clarity as to the capture archiving from the copy, print, of facsimile function. These claims as amended should clarify that the document management workstation is in communication with at least one of a copy, print, and facsimile operation, and that the at least one database further comprises image data from unconscious capture archiving of electronic document images from the at least one of a copy, print, and facsimile operation. Applicants therefore respectfully request that the rejection with respect to claims 20 and 22 be withdrawn.

II. Rejection under 35 U.S.C. §102

Claims 25, 26, 27, 29, 30, and 31 are rejected under 35 U.S.C. §102(e) as being anticipated by *Morikawa* (US 5,613,108). Applicants respectfully submit that *Morikawa* does not disclose all elements of these claims.

For example, Applicants' claim 25 recites an email server for performing unconscious archiving of electronic documents in a network environment, wherein electronic documents are transferred over a network coupling at least one client computer and at least one document management workstation having at least one database disposed to receive electronic copies of said documents for archiving, said server operatively disposed to:

collect electronic image data of an email document transmitted over the network, the email document transmitted over the network, wherein the email document was transmitted in response to a single user input command configured to transmit the email document to a destination, the electronic image data being a copy of the email document transmitted over the network;

cause said image data to be stored in the at least one database to perform the unconscious capture archiving, wherein the aforementioned steps are carried out without further input from the user notwithstanding the single user input command for transmitting the email document to a destination, wherein the storing of said image data in the at least one database is separate from the transmission of the email document to the destination

(emphasis added). Such limitations are not disclosed by *Morikawa*.

Morikawa is directed to an electronic mail processing system that classifies and stores data from email messages in various mail servers (col. 2, lines 25-37). *Morikawa* separates the classified data from the email messages and stores that data in folders on a user mail server (Fig. 1; col. 3, lines 40-51; col. 6, lines 16-20). *Morikawa* does not disclose or suggest performing unconscious archiving of electronic image data in at least one database separate from the transmission of the email document to the destination as required in Applicants' claim 25.

Morikawa does not discuss archiving electronic image data separate from the email transmission, as *Morikawa* stores information on mail servers in order to efficiently transmit email messages. Further, Applicants' claim 29 recites that the database storing the image data "is not involved in the transmission of the email document to the destination." Such a limitation is similarly not disclosed by *Morikawa*. As *Morikawa* does not disclose or suggest these limitations, *Morikawa* cannot anticipate claims 25 and 29, or the claims that depend therefrom.

Claims 25, 26, 27, 29, 30, and 31 are also rejected under 35 U.S.C. §102(e) as being anticipated by *Todd* (US 5,890,163). *Todd* discloses a system for selectively archiving electronic email messages, as a user is allowed to identify messages to be archived (col. 1, lines 52-63). A user can identify a message for archiving by, for example, providing a user-indicated characteristic of the message or providing an instruction to archive (col. 1, line 64-col. 2, line 41). *Todd* therefore requires a conscious decision for a message made by a user that requires a separate step from sending the message, and does not disclose the unconscious archiving of a message via a single user input command as required by Applicants' claims 25 and 29. As such, *Todd* cannot anticipate Applicants' claims 25 and 29, or the claims that depend therefrom.

Applicants therefore respectfully request that the rejection with respect to claims 25, 26, 27, 29, 30, and 31 be withdrawn.

III. Rejection under 35 U.S.C. §103

Claims 20, 21, 22, 23, 28, and 32 are rejected under 35 U.S.C. §103(a) as being obvious over *Morikawa* in view of *Bellemare* (US 5,701,183), as well as being obvious over *Todd* in view of *Bellemare*. Applicants' claims 20 and 22 recite "at least one document management workstation being in communication with at least one of a copy, print, and facsimile operation" wherein image data corresponding to email messages is stored in at least one database to perform unconscious capture archiving, wherein database further comprises image data from unconscious capture archiving of electronic document images from at least one of a copy, print, and facsimile operation, carried out without further input from the user notwithstanding the single user input command. As discussed above, *Morikawa* is directed to an email system that does not archive image data outside the email servers. Further, *Morikawa* does not teach or suggest archiving email data along with copy, print, and facsimile data.

As discussed above, *Todd* is directed to an email system that requires a user to identify an email message to be archived, and does not teach or suggest a single user input command providing for unconscious archiving. Further, *Todd* does not teach or suggest archiving email data along with copy, print, and facsimile data. As such, claims 20, 21, 22, 23, 28, and 32 cannot be rendered obvious by *Morikawa* or *Todd*.

Bellemare does not make up for the deficiencies in either reference with respect to these claims. *Bellemare* is directed to a method of archiving facsimile messages (col. 1, line 41-col. 2, line 6). There would be no motivation to combine the facsimile archiving invention of *Bellemare* with the email systems of *Morikawa* or *Todd*. Further, certain facsimile messages are not archived in *Bellemare*, such that there is not an automatic, unconscious archiving of all messages, based on a single user input as recited by Applicants' claims (col. 3, lines 39-47). *Bellemare* also does not teach or suggest archiving email image data along with copy, print, and facsimile data. As such, *Bellemare* cannot render these claims obvious, either alone or in combination with *Morikawa* or *Todd*.

Applicants therefore respectfully request that the rejection with respect to claims 20, 21, 22, 23, 28, and 32 be withdrawn.

IV. Amendment to the Claims

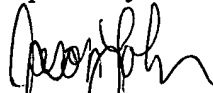
Unless otherwise specified, amendments to the claims are made for purposes of clarity, and are not intended to alter the scope of the claims or limit any equivalents thereof. The amendments are supported by the specification and do not add new matter.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,



Jason D. Lohr
Reg. No. 48,163

Dated: February 2, 2006

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415-576-0300
JDL:dk
60595087 v1